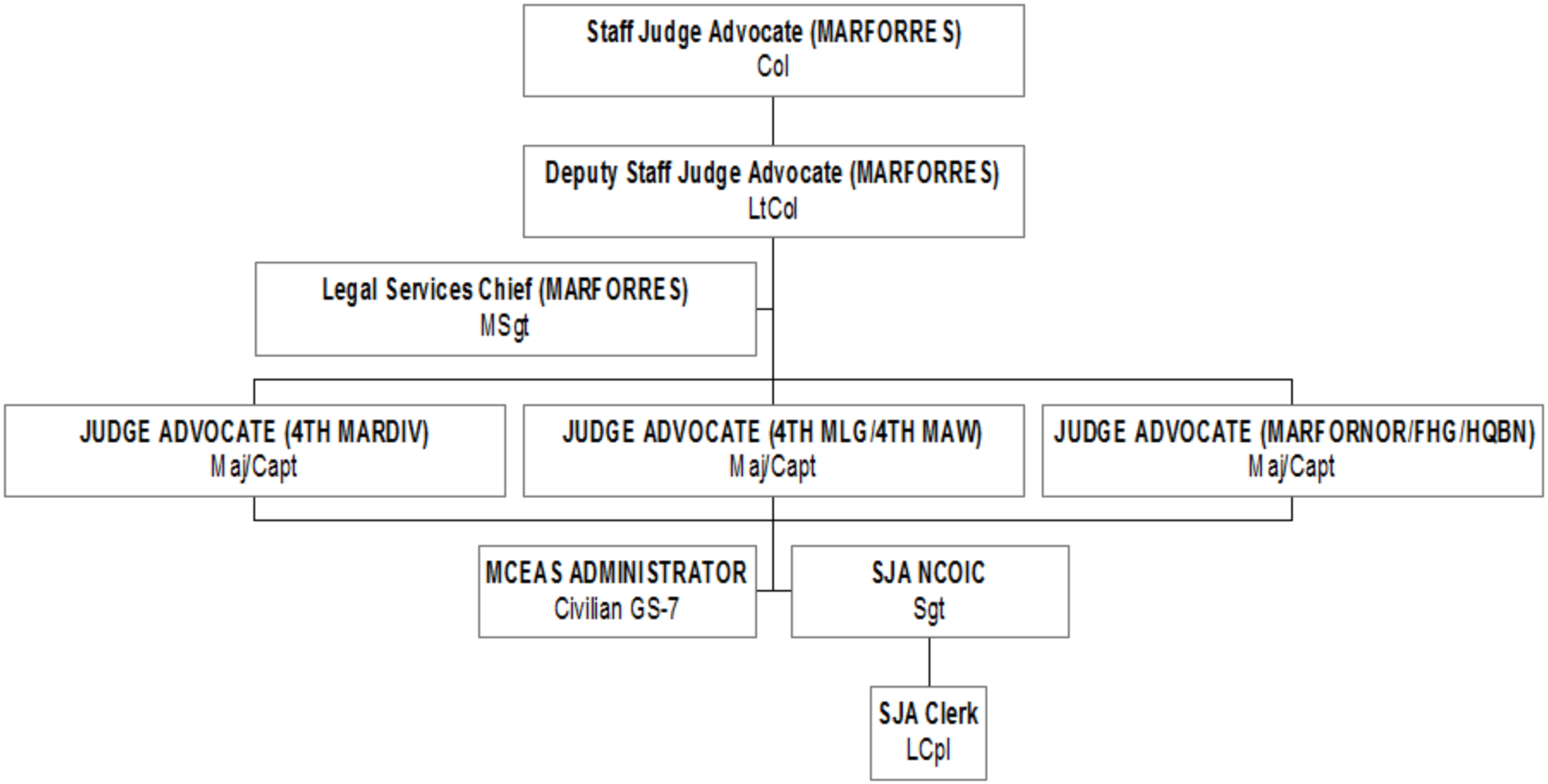
Office of the Staff Judge Advocate

AGENDA

- Legal Reorganization
- Shared Services
- Military Justice
- Enlisted Separations
- Investigations
- VWAP
- Reporting Requirements

STAFF JUDGE ADVOCATE MARFORRES SHARED SERVICES STRUCTURE



Military Justice

- Request for Legal Services (RLS)
  - This is how a command gets attorney support when they make the decision to do a CtMt or adsep board.
  - RDS is for defense services in an adsep board.
  - RLS's should be submitted to MFR OSJA Legal Chief.
- Sexual Assault Initial Disposition
  - Authority must be O-6 or higher having SpCtMt CA. (MARADMIN 372/12)
  - This is applicable to collateral misconduct by accused and/or victim.
  - DO NOT IGNORE THIS OR GET CREATIVE!
- Summary Courts-Martial
  - Refrain from contested SCMs.
  - All completed SCMs must be routed through MFR OSJA for review.

Military Justice (cont)

- I&I Authority
  - Can conduct NJP on SMCR Marine.
  - Can serve as Convening Authority over SMCR Marine. (actually preferred)
- Jurisdiction
  - Misconduct must have taken place while the Marine is in a duty status in order to NJP or Court-Martial the Marine. (see MCRAMM for when jurisdiction begins)
- Officer Misconduct- CMFR is the primary disposition authority
  - Do not take administrative or disciplinary action on an officer in response to misconduct without CMFR approval.

Enlisted Separations

- MCEAS/CLA electronic system
  - Created by MFR, now adopted by entire USMC.
  - Get someone in your unit trained.
    - Request training through your Command Advice Attorney.
- Be accountable for your separations.
  - Do not delay in processing (push the package)
  - Do not transfer to another MSC (ie. FHG)
- PTSD/TBI Screening (MARADMIN 328/10 and MARCORSEPMAN 6110)
  - Required for all AD Marines and SMCR Marines with combat service and/or deployment.
- Options for Assistance
  - MFR MCEAS Chief (MSgt Gary Holcomb)
  - MSC SMCR SJA's
  - MFR OSJA MSC Command Reps

Investigations

- JAGMAN Preliminary Inquiry
  - Is a commander's tool, not an investigation.
  - No legal sufficiency review conducted.

- JAGMAN Investigations
  - Legal sufficiency review before endorsement.
  - Investigating Officer should contact Command Advice Attorney before starting.

- Death/LOD
  - Non duty status death may require a limited investigation. Contact MFR OSJA for guidance. (JAGMAN 0205.f.)
  - GCMCA must make the final determination on LOD.

VWAP

- MCO 1752.5B signed March 2013
- BN or equivalent and above must appoint a VWAC (SNCO or above)
- Applies to all victims and witnesses to criminal investigations and proceedings. (NJP, ADSEPs and COURTS)

Reporting Requirements

- VWAP (quarterly)
- QCAR (quarterly)
  - GCM, SpCtMt, SMC, NJP, U.S. and Federal convictions
  - Hazing, substance abuse and sex offenses
- Hazing (MCO 1700.28B signed May 2013)
- Sexual Assault (MARADMIN 372/12)

SJA STAFF

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